

FILED BY *[Signature]* D.C.

05 DEC 15 PM 3:46

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MICHAEL CARLTON,

)

Plaintiff,

)

Case No.: 2:05cv2849-MI/V

v.

)

Judge McCalla

BAYER CORPORATION,

)

Magistrate Judge Vescovo

Defendant.

)

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WILLIAMSON COUNTY, TN

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held ~~on December 10, 2005~~. Present were Luvell Glanton, counsel for plaintiff, and, via telephone, James M. Doran, Jr. and Frances C. Fenelon, counsel for defendant. At the conference the following dates were established as the final dates for:

Initial Disclosures pursuant to Fed.R.Civ.P. 26(a)(1): Completed

Joining Parties: Completed

Amending Pleadings: Completed

Initial Motions to Dismiss: due by March 17, 2006

Completing All Case-Specific Discovery: due by August 17, 2006

(a) Follow-up case-specific Document Production: must be served so that responses are received by August 17, 2006

(b) Follow-up case-specific Depositions, Interrogatories and Requests for Admissions: taken or served so that responses are received by August 17, 2006

(c) Expert Witness Disclosure (Rule 26):

(1) Disclosure of Plaintiff's case-specific Rule 26 Expert Information: due by June 17, 2006.

(2) Disclosure of Defendant's case-specific Rule 26 Expert Information: due by July 17, 2006.

(3) Case-specific Expert Witness Depositions: due by May 31, 2006.

Filing Dispositive Motions: due by August 17, 2006.

Other Relevant Matters:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 8 day(s). The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

after the close of discovery, the parties will advise the court if this case is appropriate for ADR & whether court annexed attorney mediation or private mediation should be conducted.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.


DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

Date: December 15, 2005

Dated: Dec 15, 2005.

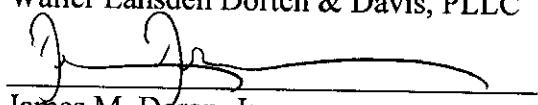
Approved for Entry:

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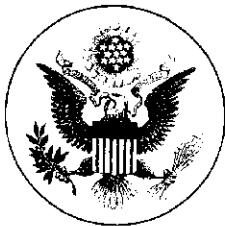
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Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02849 was distributed by fax, mail, or direct printing on December 16, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT